
CITY OF KELOWNA

MEMORANDUM

Date: January 13, 2003
File No.: Z02-1058
To: City Manager
From: Planning and Development Services Department
Subject:

APPLICATION NO. Z02-1058 OWNER: Brian and Donna Choboter
AT: 2265 James Rd. Kelowna, BC APPLICANT: Brian and Donna Choboter

PURPOSE: TO REZONE THE PROPERTY FROM RR3-RURAL
RESIDENTIAL 3 TO RR3s-RURAL RESIDENTIAL 3 WITH
SECONDARY SUITE TO ALLOW FOR THE CONSTRUCTION
OF A SECONDARY SUITE IN AN ACCESSORY BUILDING

EXISTING ZONE: RR3 – RURAL RESIDENTIAL 3

PROPOSED ZONE: RR3s – RURAL RESIDENTIAL 3 WITH SECONDARY SUITE

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, Twp. 26, ODYD, Plan 24182, located on James Road, Kelowna, B.C. from the RR3 – Rural Residential 3 zone to the RR3s – Rural Residential with Secondary Suite zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

2.0 SUMMARY

The applicant wishes to rezone the subject property from RR3 – Rural Residential 3 to RR3s – Rural Residential 3 with Secondary suite to allow for the construction of a secondary suite in an accessory building.

3.0 BACKGROUND

3.1 The Proposal

The applicant is proposing to rezone the subject property from RR3 – Rural Residential 3 to RR3s – Rural Residential 3 with Secondary Suite to allow for the construction of a secondary suite in an accessory building. The proposed secondary suite is to be located in a one storey accessory building. The suite will have one bedroom, a study room, a bathroom, laundry area and great room (w/kitchen). The applicant is also planning to construct a two-car garage in a separate accessory building in front of the suite. A carport to accommodate the 1 parking spot required for the suite will be located between the accessory building containing the suite and the building containing the two car garage.

The application meets the requirements of the proposed RR3s – Rural Residential 3 with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RR3s ZONE REQUIREMENTS
Lot Area (m ²)	2137m ²	1600m ²
Lot Width (m)	25.31m	18.0m
Lot Depth (m)	82.5m	30.0m
Site Coverage (%)	11.0%	30%
Total Floor Area (m ²) -House -Secondary suite	137.5m ² 88.0m ²	N/A 90m ²
Height (Accessory)	4.5m	4.5m
Setbacks-Suite (m)		
-Front (From Principal Dwelling)	25m (approx.)	5.0m
-Rear	20m (approx.)	1.5m
-Side Yard East	14.0m (approx.)	2.0m
-Side Yard West	2.0m	2.0m
Parking Spaces (Total)	4	4

3.2 Site Context

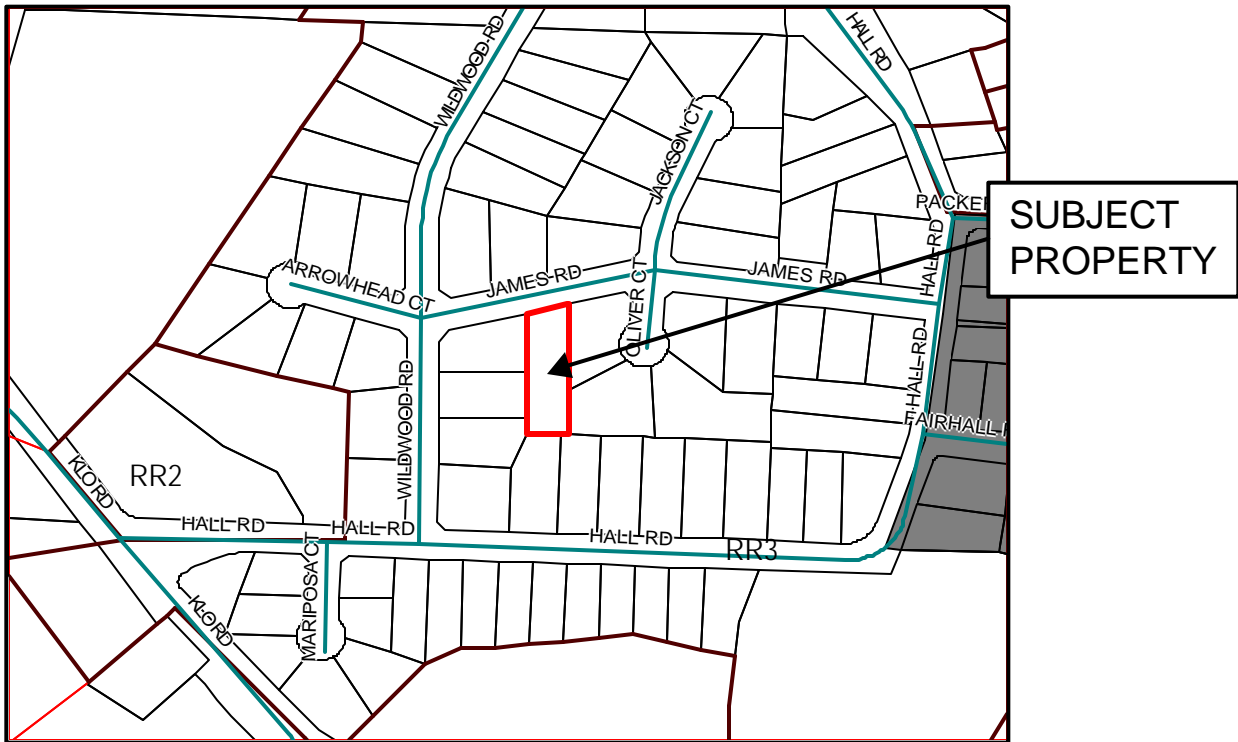
The subject property is located north-west of the intersection of Hall and KLO Roads in the Southeast Kelowna Sector.

Adjacent zones and uses are:

North - RR3 – Rural Residential 3
 East - RR3 – Rural Residential 3
 South - RR3 – Rural Residential 3
 West - RR3 – Rural Residential 3

Site Location Map

Subject Property: 2265 James Road



3.3 Existing Development Potential

The property is zoned RR3 – Rural Residential 3. The purpose of this zone is to provide for country residential development on smaller lots, and complementary uses, in areas of high natural amenity and limited urban services.

Secondary suites are allowed on lots with RR3 – Rural Residential 3 with Secondary Suite zoning.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15).

3.4.2 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

4.1 Inspection Services Department

- Side Yard Setback shall be 2.0m
- The suite area exceeds 90m²
- Health Unit approval required for possible septic system upgrade.

* Note: The applicant has submitted revised plans and Inspection Services Department has no further concerns.

4.2 Works and Utilities Department

No Comment.

4.3 Public Health Inspector

Approved subject to upgrades of septic system. Permit was issued Nov. 7/02 (148m² bed and tank).

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

It was initially identified that the suite exceeded the maximum permitted size of 90m². The applicant has since revised the plans to bring the proposed suite into conformity with City of Kelowna Bylaw No.8000. The Planning and Development Services Department has no concerns with the proposed rezoning. The proposal is consistent with the Official Community Plan and Kelowna Strategic Plan.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RWS
Attach.

FACT SHEET

- | | |
|---|---|
| 1. APPLICATION NO.: | ZO2-1058 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Brian and Donna Choboter |
| . ADDRESS | 2265 James Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 2T8 |
| 4. APPLICANT/CONTACT PERSON: | Brian and Donna Choboter |
| . ADDRESS | 2265 James Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 2T8 |
| . TELEPHONE/FAX NO.: | 862-6029 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | December 06, 2002 |
| Date Application Complete: | December 06, 2002 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | January 20, 2003 |
| 6. LEGAL DESCRIPTION: | Lot 35, Twp. 26, ODYD, Plan 24182 |
| 7. SITE LOCATION: | The subject property is located north-west of the intersection of Hall and KLO Roads in the Southeast Kelowna Sector. |
| 8. CIVIC ADDRESS: | 2265 James Road |
| 9. AREA OF SUBJECT PROPERTY: | 2,102m ² |
| 10. AREA OF PROPOSED REZONING: | 2,102m ² |
| 11. EXISTING ZONE CATEGORY: | RR3 |
| 12. PROPOSED ZONE: | RR3s |
| 13. PURPOSE OF THE APPLICATION: | To rezone the property to allow the construction of a secondary suite in an accessory building |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan and floor plan
- Elevations